

08-08-01  
A  
FISH & RICHARDSON P.C.

225 Franklin Street  
Boston, Massachusetts  
02110-2804

Telephone  
617 542-5070

Facsimile  
617 542-8906

Web Site  
www.fr.com

August 7, 2001

Attorney Docket No.: 08326-051002

**Box Patent Application**

Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new continuation patent application of:

Applicant: BRITTON CHANCE

Title: EXAMINATION OF A BIOLOGICAL TISSUE USING PHOTON  
MIGRATION BETWEEN A PLURALITY OF INPUT AND  
DETECTION LOCATIONS

The prior application is assigned of record to Non-Invasive Technology, Inc.,  
a Delaware corporation, by virtue of an assignment submitted to the Patent and  
Trademark Office and recorded on February 9, 1998 at 8963/0761.

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR §1.53(b):

|               | <u>Pages</u>                  |
|---------------|-------------------------------|
| Specification | 40                            |
| Claims        | 18                            |
| Abstract      | 0                             |
| Declaration   | [To be Filed at a Later Date] |
| Drawing(s)    | 28                            |

Enclosures:

- Small entity statement. This application is entitled to small entity status.
- Postcard.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 856746886 US

I hereby certify under 37 CFR §1.10 that this correspondence is being  
deposited with the United States Postal Service as Express Mail Post  
Office to Addressee with sufficient postage on the date indicated below  
and is addressed to the Commissioner for Patents, Washington,  
D.C. 20231.

Date of Deposit August 7, 2001

Signature

Typed or Printed Name of Person Signing Certificate

10/07/01  
1131 U.S. PTO

Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

FR

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

11046 U.S. PTO  
09/924152  
08/07/01

Commissioner for Patents

August 7, 2001

Page 2

This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/153,051, filed September 15, 1998, which is a continuation-in-part of U.S. application serial no. 08/356,162, filed December 16, 1994, now U.S. Patent 5,807,263, which is a 371 of PCT/US93/05868, filed June 17, 1993, which is a continuation-in-part of U.S. application serial no. 07/900,197, filed June 17, 1992, now U.S. Patent 5,353,799. The disclosures of the prior applications are considered part of (and are incorporated by reference in) the disclosure of this application.

|  |       |
|--|-------|
| Basic filing fee                             | \$355 |
| Total claims in excess of 20 times \$9       | \$0   |
| Independent claims in excess of 3 times \$40 | \$0   |
| Fee for multiple dependent claims            | \$0   |
| Total filing fee:                            | \$355 |

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

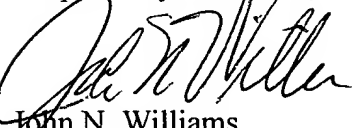
If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

JOHN N. WILLIAMS  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Respectfully submitted,



John N. Williams

Reg. No. 18,948

Enclosures

JNW/tms

20298619.doc

20298619.doc